

ORDINANCE NO. 2014-01

156

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF BOISE COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF CROUCH, TO THE CITY OF CROUCH, IDAHO; CHANGING THE COMPREHENSIVE LAND USE CLASSIFICATION TO R (RESIDENTIAL) AND P (PUBLIC); AND ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN FROM MU (MULTI-USE) TO R-1 (SINGLE FAMILY RESIDENTIAL) AND P (PUBLIC); AMENDING THE ZONING MAP OF THE CITY OF CROUCH TO REFLECT SAID CHANGE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Crouch, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Boise County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Crouch; and

WHEREAS, the owner of the real property situated within the City of Crouch and particularly described in Exhibit "A" of this ordinance has requested in writing a change in the comprehensive land use map designation to R and a one acre parcel to P.

WHEREAS, the owner of the real property situated within the City of Crouch and particularly described in Exhibit "A" of this ordinance has requested, in writing, a rezone from MU to R-1 and a one acre parcel to P; and

WHEREAS, the Crouch City Council, pursuant to public notice as required by law, held a public hearing on March 12, 2014, on the proposed annexation and zoning for the real property described in Exhibit "A" as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of R-1 and P for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code, Crouch City Code and the Crouch Comprehensive Plan and should be granted.

NOW, THEREFOR, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CROUCH, IDAHO, as follows:

Section 1: The Crouch City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Boise County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached here to and included herein by reference, is hereby annexed to the incorporated territorial limits of the City of Crouch, Idaho.

REC'D AUG 08 2016

REC'D AUG 08 2016

Section 3: The City Council hereby finds and determines that the real property particularly described in Exhibit "A" and generally as shown on Exhibit "B" attached hereto and incorporated by reference is hereby removed from the Comprehensive Plan designation of MU and included in the Comprehensive Land Use Map as R (Residential) for 78 acres and P (Public) for the one acre lot split.

Section 4: The City Council hereby finds and determines that the real property particularly described in Exhibit "A" and generally as shown on Exhibit "B", attached hereto and incorporated by reference, is hereby removed from the MU (Multi-Use) County zoning classification and is hereby included in the R-1 (Single Family Residential) for 78 acres and P (Public) zoning classification for the one acre lot split all pursuant to the Zoning Ordinance of the City of Crouch.

The City Council further finds and determines that said zone change is in accordance with the Crouch Comprehensive Plan and relevant City Codes and that the Zoning Map of the City is hereby amended to include the real property described in Exhibit "A" in the R-1 and P zoning districts.

Section 5: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Crouch.

Section 6: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Boise County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 7: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

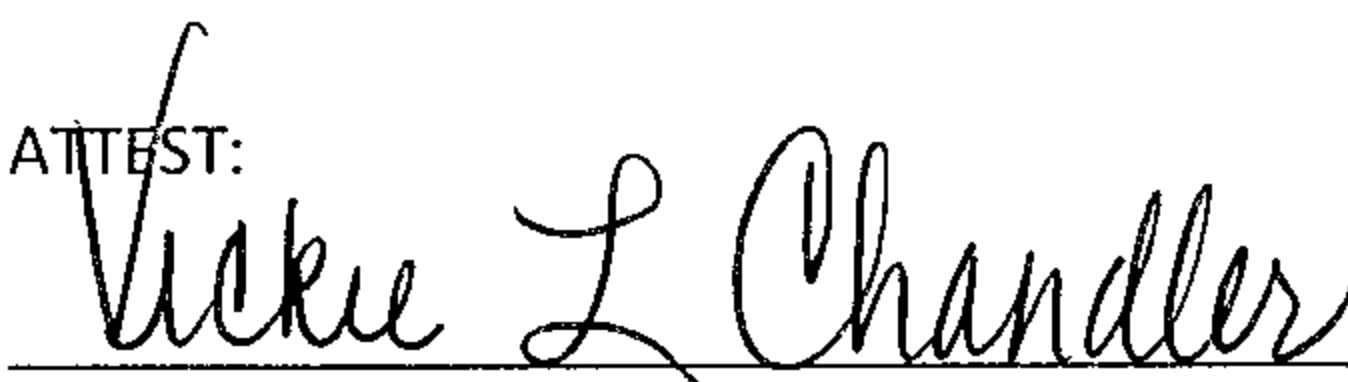
DATED this 9th day of April, 2014

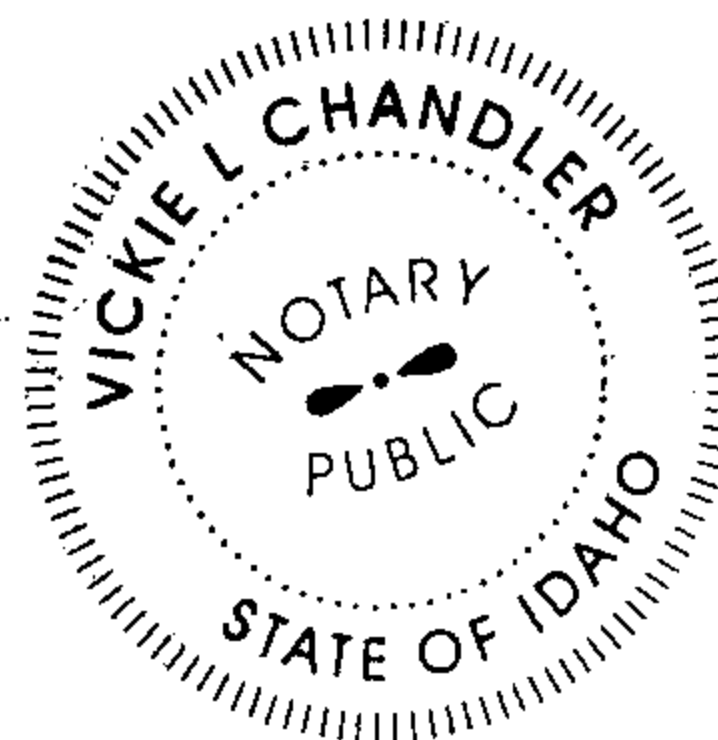
CITY OF CROUCH

By 

Mayor

ATTEST:


City Clerk





Unlimited Boundaries, Inc. dba ALS
LAND SURVEYING & PLANNING
1103 W. Main St.
Middleton, Idaho 83644
208-585-5858 866-716-5253 fax

**DESCRIPTION
RESULTING PARCEL
BORTLES**

The following describes a parcel of real property being the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) and the West Half of the Northeast Quarter of the Northeast Quarter (W1/2 NE1/4 NE1/4) and a portion of the North Half of the Northeast Quarter of the Southeast Quarter (N1/2 NE1/4 SE1/4) of Section 16, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the North Quarter Corner of said Section 16; Thence, along the north boundary line of said Section 16, South 89°31'40" East, 1286.32 feet to the northwest corner of said W1/2 NE1/4 NE1/4, also being the East 1/16 Corner of said Section 16 and Section 9 and the **POINT OF BEGINNING**;

Thence, along the north boundary line of said W1/2 NE1/4 NE1/4, South 89°31'40" East, 643.10 feet to the northeast corner of said W1/2 NE1/4 NE1/4;

Thence, departing said north boundary line, South 00°44'40" East, 1304.10 feet along the east boundary line of said W1/2 NE1/4 NE1/4, to the southeast corner thereof;

Thence, along the north boundary line of said SE1/4 NE1/4, North 89°20'47" East, 448.70 feet;

Thence, departing said north boundary line, South 00°01'54" West, 208.71 feet;

Thence, North 89°20'47" East, 208.71 feet to the east boundary line of said SE1/4 NE1/4;

Thence, along said east boundary line, South 00°01'54" West, 1120.22 feet to the southeast corner of said SE1/4 NE1/4, also being the East Quarter Corner of said Section 16;

Thence, along the east boundary line of said N1/2 NE1/4 SE1/4, South 00°01'00" East, 308.20 feet to the northerly right of way line of Middlefork Road or the Crouch Spur;

Thence, along said northerly right of way line and departing said east boundary line, 671.89 feet along a non-tangent curve to the left, said curve having a radius of 622.96 feet, having a delta angle of $61^{\circ}47'46''$, a long chord which bears South $68^{\circ}35'39''$ West, 639.80 feet;

Thence, continuing along said northerly right of way line, along the chord of a spiral curve to the left, South $33^{\circ}39'15''$ West, 138.11 feet to the south boundary line of said N1/2 NE1/4 SE1/4;

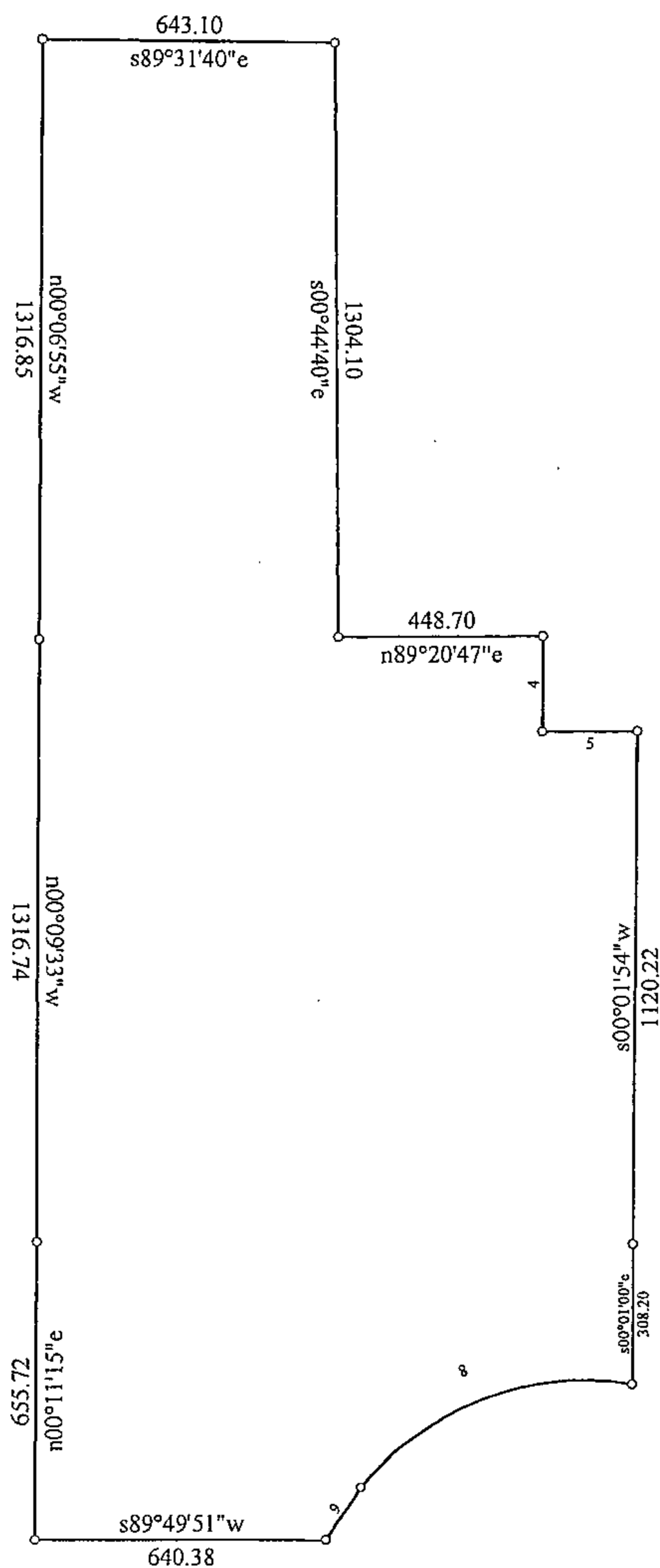
Thence, along the south boundary line of said N1/2 NE1/4 SE1/4, South $89^{\circ}49'51''$ West, 640.38 feet to the southwest corner of said N1/2 NE1/4 SE1/4;

Thence, along the west boundary line of said N1/2 NE1/4 SE1/4, North $00^{\circ}11'15''$ East, 655.72 feet to the northwest corner of said N1/2 NE1/4 SE1/4, also being the southwest corner of said SE1/4 NE1/4;

Thence, along the west boundary line of said SE1/4 NE1/4, North $00^{\circ}09'33''$ West, 1316.74 feet to the northwest corner of said SE1/4 NE1/4, also being the southwest corner of said W1/2 NE1/4 NE1/4;

Thence, along the west boundary line of said W1/2 NE1/4 NE1/4, North $00^{\circ}06'55''$ West, 1316.85 feet to the **POINT OF BEGINNING**, containing 74.014 acres more or less and is subject to any easements or reservations.





Title:		Date: 07-27-2016
Scale: 1 inch = 500 feet	File: BORTLES RESULTING DESCRIPTION.des	
Tract 1: 74.014 Acres: 3224065 Sq Feet: Closure = s20.4340w 0.02 Feet: Precision =1/468040: Perimeter = 8981 Feet		
001=s89.3140e 643.10	006=s00.0154w 1120.22	011=n00.1115e 655.72
002=s00.4440e 1304.10	007=s00.0100e 308.20	012=n00.0933w 1316.74
003=n89.2047e 448.70	008: Lt, R=622.96, Delta=61.4746 Bng=s68.3539w, Chd=639.80	013=n00.0655w 1316.85
004=s00.0154w 208.71	009=s33.3915w 138.11	
005=n89.2047e 208.71	010=s89.4951w 640.38	



Unlimited Boundaries, Inc. dba ALS
LAND SURVEYING & PLANNING
1103 W. Main St.
Middleton, Idaho 83644
208-585-5858 866-716-5253 fax

**DESCRIPTION FOR
CITY OF CROUCH
WATER TANK PARCEL**

The following describes a parcel of real property being the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section 16, Township 9 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the northeast corner of said Section 16; Thence, along the east boundary line of said Section 16, South 01°23'09" East, 1291.62 feet to the northeast corner of said SE1/4 NE1/4 and the **POINT OF BEGINNING**;

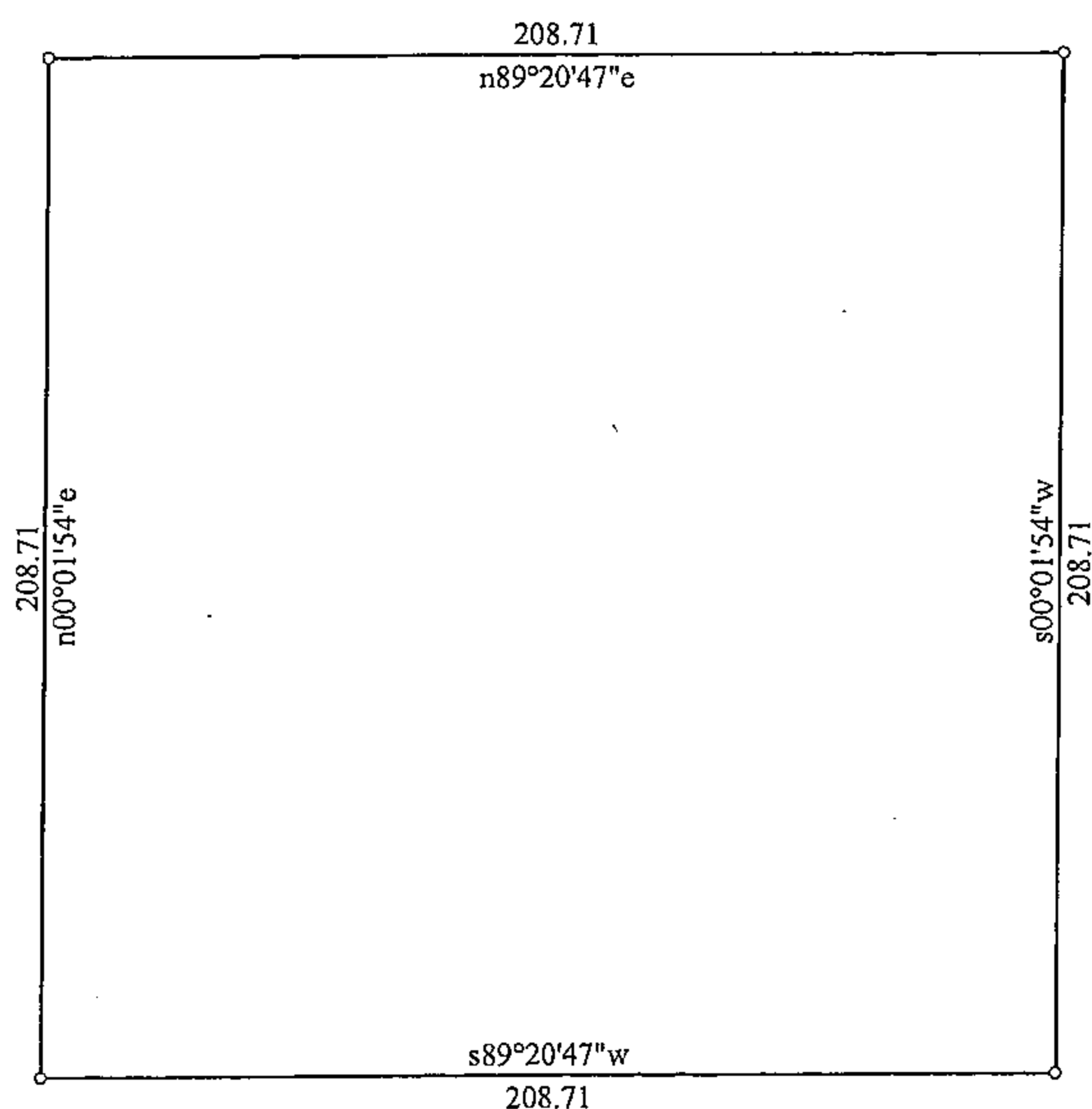
Thence, along the east boundary line of said SE1/4 NE1/4, South 00°01'54" West, 208.71 feet;

Thence, departing said east boundary line, South 89°20'47" West, 208.71 feet;

Thence, North 00°01'54" East, 208.71 feet to the north boundary line of said SE1/4 NE1/4;

Thence, along said north boundary line, North 89°20'47" East, 208.71 feet to the **POINT OF BEGINNING**, containing 1.000 acres more or less and is subject to any easements or reservations.





Title:		Date: 07-27-2016
Scale: 1 inch = 60 feet	File: WATER TANK PARCEL.des	
Tract 1: 1.000 Acres: 43557 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/9999999: Perimeter = 835 Feet		
001=s00.0154w 208.71	003=n00.0154e 208.71	
002=s89.2047w 208.71	004=n89.2047e 208.71	

March 5, 2015

Vickie Chandler
Crouch City Clerk
329 Village Circle
Crouch, ID 83622

Subject: Annexation of Property Into CROUCH (CITY)

Dear Ms. Chandler:

The Tax Commission has received and reviewed the above referenced action. This review cannot be completed because it does not comply with legal description and mapping requirements.

Annexation was not approved in 2015.

This annexation does not meet the requirements of **Idaho Code -63-215** or **IDAPA -35.01.02.550.03** listed below. The following citations list and define the required actions:

1. Idaho Code -63-215 requires:
 - a. A copy of the legal description designating the boundaries,
 - b. A map, prepared in a draftsman like manner, which plainly and clearly designates the boundaries, and
 - c. Both the legal description and map must be submitted to the Tax Commission within ten (10) days of the effective date of the annexation.
2. IDAPA -35.01.03.550.02 defines a legal description to be a definite boundary which:
 - a. Is described by metes and bounds,
 - b. Can be mapped on a tax code area map, and
 - c. Includes
 - i. Section, Township, Range, and Meridian,
 - ii. An initial point,
 - iii. A true point of beginning, and
 - iv. A closure accuracy of at least one (1) part in five thousand (5,000)
3. IDAPA -35.01.03.550.03 defines a map prepared in a draftsman like manner as "an original graphic representation or precise copy matching the accompanying legal description and drafted to scale using standard mechanical drawing instruments or a computer."

Upon receipt of the above referenced documents, processing will be resumed for this action, during year 2015. These changes would then appear on the year 2016 Code Area maps. Thank you for your attention to the legal description and mapping requirements. If you have any questions, please call

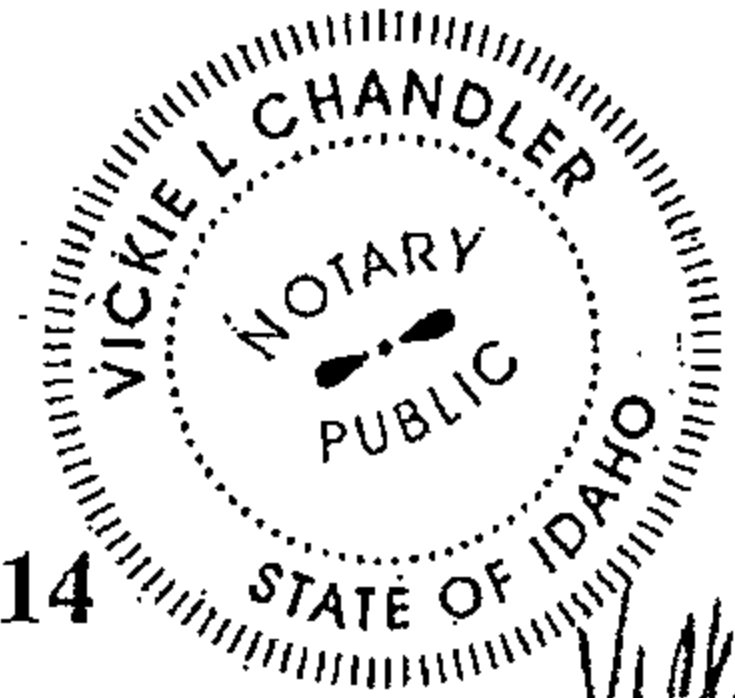
*The first clipped section of documents were sent to you in 2015. You replied with this letter I believe the last section of papers will finalize your records. These documents have been file with Boise County. Please let me know if you need more information or if this is complete. Thank You!
Vickie L Chandler
208-462-4687*

me at (208) 334-7750.

Sincerely,

Craig Johnson
GIS Analyst
Technical Support Bureau
Idaho State Tax Commission

**ORDER OF DECISION
BY THE CITY COUNCIL
CITY OF CROUCH, IDAHO
PUBLIC HEARING HELD MARCH 12, 2014**



Subject: Staff Report – Case No. CPA-01-14, ANN-01-14, ZON-01-14 and LST-01-14, CPA-02-14 ad ZON-02-14

THE FOLLOWING LAND USE ACTION IS THE PRIMARY FEATURE OF THIS APPLICATION

- **COMPREHENSIVE LAND USE MAP CHANGE TO RESIDENTIAL (R), ANNEXATION AND ZONING CLASSIFICATION OF SINGLE FAMILY RESIDENTIAL (R-1)**
 - Case Numbers CPA-01-14, ANN-01-14, ZON-01-14, a request by Elaine Bortles for a comprehensive plan map change, annexation and zoning classification on 78 acres, which would be annexed into the City of Crouch with a land use classification residential (R) and zoning classification of “R-1”, Single Family Residential.
- **COMPREHENSIVE LAND USE MAP CHANGE TO (P) PUBLIC, LOT SPLIT AND ZONING CLASSIFICATION with ZONING CLASSIFICATION (PUBLIC) P.**
 - Case Numbers LST-01-14, CPA-02 -14 and ZON-02-14 a request by the City of Crouch to create a lot split of one acre from the 78 acres parcel, with a comprehensive plan land use map change and zoning classification of the one acre parcel to “P” Public.

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I COURSE OF PROCEEDINGS

- 1.1 The City of Crouch issued a notice of public hearing on application Case Numbers CPA-01-14, ANN-01-14, ZON-01-14 and LST-01-14, CPA-02 -14, ZON-02-14 to be held before the Crouch Mayor and City Council on March 12, 2014. Public notice requirements

set forth in Idaho Code, Chapter 65, Local Planning Act, have been met. On February 19, 2014 notice was mailed to all property owners within 300 feet of the project site and to all political subdivisions providing services to the site; on February 26 and March 5 and 12, 2014 notice was published in the Idaho World; and, on March 4, 2014 notice was posted on the site.

- 1.2 Files and exhibits relative to this application are available for review in City Clerk's office, 342 Village Circle, Garden Valley, Idaho and at applicable public hearings.

II GENERAL FACTS

- 2.1 OWNER/APPLICANT: Elaine Bortles, 2518 18th Ave, Forest Grove, OR 97116-2512.

- 2.2 REPRESENTATIVE: Jerome Mapp, 1855 Danmore Drive, Boise, Idaho 83712

- 2.3 REQUEST: Elaine Bortles requests a comprehensive plan land use amendment, annexation and zoning classification on 78 acres, which would be annexed into the City of Crouch with a land use classification of residential and zoning classification of "R-1", Single Family Residential and City of Crouch requests to create a lot split of one acre from the 78 acres parcel, with a comprehensive plan land amendment, and zoning classification of the one acre parcel to "P" Public.

- 2.4 BACKGROUND: The subject property is currently in Boise County and forest land.

- 2.5 LEGAL DESCRIPTION: A legal description for the subject property was submitted with the annexation application and is contained within the case file.

- 2.6 COMPREHENSIVE PLAN DESIGNATION: The subject property is designated as Multi-Use in Boise County.

- 2.7 COMPREHENSIVE PLAN COMPONENTS APPLICABLE TO THE REQUEST: None

- 2.7.1 Land Use: The subject property is surrounded by the following:

<u>Direction</u>	<u>Zone</u>	<u>Comprehensive Plan Map</u>	<u>Use</u>
Site	Multi-Use	Multi-Use	Forest Land
North	Multi-Use	Multi-Use	Residential
South	Multi-Use	Multi-Use	Residential
East	R-1	Single Family Residential	Residential
West	Multi-Use	Multi-Use	Residential

- 2.7.2 Transportation /Connectivity: The subject property can utilize Middlefork Road

- 2.7.3 Landscaping: N/A

- 2.7.4 Public Services, Utilities and Facilities: There are no public services. Once the municipal water system is completed municipal water will be available. Existing development in the surrounding areas have septic tanks and wells.

III TESTIMONY BEFORE THE CITY COUNCIL, MARCH 12, 2014

- 3.1 Jerome Mapp, Grant Administrator and City Planner, 1855 Danmore Drive, Boise, Idaho presented the staff report. He explained the annexation and zoning changes. He showed the project on the map and explained the classification change. He showed the specific 78 acres and the tank site.

Councilmember Messick had a question from a constituent about access to that piece of property for future subdivision possibilities. He told them that the old access was from the corner of Davey Reay property and old lumber yard.

Project engineer, Gary Ashby stated that the access to the site will go up the drive way.

Val Jones, 197 Holiday Dr., Garden Valley, ID 83622, representing the applicant Elaine Bortles, stated that there is an easement off of Summerwind for the property. Bortles is not subdividing and not applying to develop. If someone buys the property they have to do what they need to do.

Larry Hellnake, 3837 No. Holl Dr., Eagle, ID 83616, said that he understands the zoning, but would just like to see less than one home to an acre. Could there be something in between? He knew it was not being proposed right now. He would like to see some kind of transitional plan. He said the clarified easement through there is a water easement. Bortles gave us an easement for our tract in exchange for access for one cabin site. As far as the tank site the only thing in the future we have two wells and approval for fourth well. No market yet. When we drill that we have first rights ahead of tank site to pump the water. Our water project in the future will not be impugned. No problem with annexation.

Jerome Mapp, Grant Administrator and City Planner, said that going through the zoning ordinance; we don't have an agricultural zone. That is why we couldn't do that.

Bob Hammond, 69 Blue Shadow Dr., Garden Valley, ID 83622, said his concern on the tank site was the water source. Initial phase is to pump from city to tank. Phase two you may need to have additional water supply. Concern is we are pumping out of that aquifer now and that may cause problems in future. Monitors need to be in place so no problems in future.

Kathy Vaughan, 7 Pine Lane, Garden Valley, ID 83622, asked about access of water line to construct or maintain the site.

Engineer Gary Ashby, Forsgren & Associates, 415 S. 4th St., Boise, ID 83702, responded that the driveway in front of the Caughlin house will be used.

() Jack Ogden, Middlefork Rd., Garden Valley, ID 83622 who owns property across Middlefork Road from the project wondered if the city was aware of the county dump that was on that property originally and completely covered over. He wants the city to be aware that there could be some problem for the city down the line.

Councilmember Wendy Bates asked what other zoning applications could be used to address the concentration of homes issue.

Jerome Mapp, Grant Administrator and City Planner, said that we have residential, commercial, and industrial. AR which is agriculture residential. Technically you could come with a lower classification with one unit per five acres.

Councilmember Dana Hinson asked if we have some leeway in the future. Classification is less than what we have if annexation passes.

Jerome Mapp, Grant Administrator and City Planner, said that we currently have R1, R2 and R3.

() Bruce Reay, 8 Pine Patch Rd., Horseshoe Bend, ID 83629, representing his mother's estate which will be his in the future he showed the property on the map, PZ-1,000, that he will own in the future. He concurred with Mr. Hellnake's recommendation of condensation per lot. He would like the water site to be down closer to his property for access. He has no objection to the project. He also agrees with Mr. Ogden that the dump site is still on the site. This could be a problem for people. From Middlefork was access of old county road that was abandoned. Reays need to access that road to get to their property. Not abandoned by the county, they just quit maintaining it. No problem with project as long as it doesn't affect their access to the property.

Councilmember, Jackie Kraupp asked if the road has a recorded easement.

Bruce Reay explained the 50' prescriptive use road. Twenty-five feet on each side of the center line.

Jerome Mapp, Grant Administrator and City Planner, made a clarification that all lands from county are zoned multiple use. Minimum lot size is 2 acres unless there is central sewer and central water can be more.

() Bruce Reay, 8 Pine Patch Rd., Horseshoe Bend, ID 83629, explained that the road continues to Mtn. Shadows and there is a fork at Reay property to Bortles property. Bruce Reay's father gave a temporary written easement to Boise Payette Lumber Company for construction of a bypass access road to Bedal's logging camp to help eliminate all of the dust and traffic through the middle of town.

Councilmember Wendy Bates said she was not sure she was understanding what we are recommending now. Can we revisit later to change to the AR or RA to make the decision and we wouldn't need a public hearing?

Jerome Mapp, Grant Administrator and City Planner, said that planning and zoning identifies areas inside city limit. Land use map identifies it as agricultural. But we don't have that classification in our comprehensive plan or area of impact.

John McFadden said that in the future if it is to be changed there will need to be a public hearing.

Councilmember Dana Hinson wanted to make sure that this zoning designation is what the Bortles want. Mr. Hellnake, 3837 No. Holl Dr., Eagle, ID 83616 said that in his 40 years of construction and planning, if you make decision and if it needs to be made in the future it is a real dog fight. Make the designation the most flexible so issues don't arise in the future.

Jerome Mapp, Grant Administrator and City Planner, quoted Section 4-9A of the city's Subdivision "Water Supply and Sewer systems. All public water supply or sewer systems (serving 2 or more separate premises or households) shall be constructed in accordance with state and federal standards in addition to adopted local plans and specifications or other project specific requirements of the City. All new public water supply or sewer systems shall be an extension of an existing public system whenever possible. In the event that the proposed public water supply or sewer system is not an extension of an existing public system, there shall be a showing by the subdivider that the extension is not feasible and not in the best interest of the public."

Condition 8.2 explains what would need to happen. When they decide to parcel the property they will have to meet the city requirements for sewer and water. Separate requirement for Central District Health. Just because zoned R1 they just can't do anything they want to. They will have to come to the city for review.

Councilmember Richard Messick then stated that according to our zoning laws, the land size may be one acre but it has to have the qualifications of water and sewer required.

Jerome Mapp Grant Administrator and City Planner, responded, yes.

Mr. Hellnake, 3837 No. Holl Dr., Eagle, ID 83616, suggested that it is And/Or water and sewer? Meetings with health department they have said they determine septic tanks on case by case basis. Lot of issues that have not been determined in regards to how that property will be physical developed.

Councilmember Dana Hinson then asked for a clarification on water and sewer or water or sewer?

Mr. Hellnake, 3837 No. Holl Dr., Eagle, ID 83616, then asked if zone R1 was subject to the property having water and sewer?

Attorney John McFadden then said that we can set our parameters. It is our jurisdiction. Mr. Hellnake has 1.2 lots that all have sewer.

Councilmember Wendy Bates then asked about how we change requirements.

Jerome Mapp Grant Administrator and City Planner, said that we change the ordinance at a public hearing.

Val Jones, 197 Holiday Dr., Garden Valley, stated that if there is going to be a change of zoning R1 that she had told the Bortles we are going to be doing so she would have to discuss any possible changes with the owner and we would have to put the annexation and lot split decision hold.

Mayor said that he understood.

Before the vote Councilmember Bates had one question for the planner. Would like to know a little more about the old abandoned dumpsite.

John McFadden responded that just because you annex in you don't have any liability for that property. You actually have ability to require a cleanup. City council would have a little more control. For instance if the tank site was found to be hazardous, the plan has an environmental clause. With the road there is no liability with access to road. We have an easement for construction and maintenance. Issues that come up over development and access to this process would not be the responsibility of the city. We can require them to improve access when they apply for subdivision project.

Councilmember Richard Messick then stated that all of his questions answered were answered. It already says what the ordinances say they have to have.

Councilmember Dana Hansen asked if the Bortles understand what we have in front us.

Val Jones, representing the Bortles, 197 Holiday Dr., Garden Valley, said that it was now zoned improved residential—category 12. Category 12 is a tax category not a zoning designation. No zoning in the county. Ms. Jones stated that Mrs. Bortles has no plans of subdividing.

The Public Hearing was closed.

Richard Messick made the motion to APPROVE Case Numbers CPA-01-14, ANN-01-14, ZON-01-14, a request by Elaine Bortles for a comprehensive plan map change, annexation and zoning classification on 78 acres, which would be annexed into the City of Crouch with a land use classification residential (R) and zoning classification of "R-1", Single Family Residential. The Annexation, Comprehensive Plan Amendment and Rezone to R1

of the Bortles property. Jackie Kraupp seconded. A roll call vote was taken: Bates-Aye; Kraupp-Aye; Messick-Aye; Hinson-Aye. Motion carried.

Richard Messick made the motion to APPROVE Case Numbers LST-01-14, CPA-02 -14 and ZON-02-14 a request by the City of Crouch to create a lot split of one acre from the 78 acres parcel, with a comprehensive plan land use map change and zoning classification of the one acre parcel to "P" Public. The Lot Split application, rezoned as P (Public) and the Comprehensive Plan would be amended for the Bortles property. Wendy Bates seconded. Roll Call vote: Bates-Aye; Kraupp-Aye; Messick-Aye; Hinson-Aye. Motion Carried.

IV APPLICABLE LEGAL STANDARDS

- 4.1 City of Crouch Zoning Ordinance No. 2009-01
- 4.2 City of Crouch Comprehensive Plan
- 4.3 City of Crouch Subdivision Ordinance, ORD. 2009-02
- 4.4 Idaho Code, Title 67, Chapter 65, Local Planning Act

V COMPREHENSIVE PLAN ANALYSIS ON ANNEXATION

The Mayor and City Council accepts the Comprehensive Plan Components as listed below.

GOAL – Property Right - Preserve and protect private property rights as required per the provision of Idaho Code §67-6508A and Idaho Code §67-8003(2), as well as HB 555, SB1429, SB1243 and SB1247.

GOAL – Population - Manage population growth, consistent with community goals and objectives as expressed in the comprehensive plan and enhance the quality and character of the community while providing and improving amenities and services.

GOAL – Land Use - Encourage diverse housing developments that provide a mix of housing types and products, as well as, an assortment of amenities within walking distance between residential developments.

- 5.2 The request was not found to be inconsistent with any portion of the Comprehensive Plan Components.

It is the policy of the city to annex areas based upon a request of an applicant and City's ability to orderly extend services to those areas contiguous to the City's municipal boundary. **Staff recommends approval of the Comprehensive Plan amendment of residential and the annexation request.**

- 5.3 The project engineer has identified one acre of land for the tank site. This parcel is part of an existing 78 acres parcel, which is owned by Elaine Bortles. The grant administrator has negotiated the purchase of one acre of property to the City of Crouch.

The City will annex the 78 acres into the city limits with a land use classification of residential and a zoning classification of R-1 (Single-Family Dwelling Units). The parcel

is currently has timber on it. When the parcel is developed they will be required to meet all current land use requirements. The City will acquire one acre from the 78 acres, and zone the parcel to "P" or public for municipal services. A water tank and distribution lines will be placed on the site.

VI FINDINGS OF FACT ON COMPREHENSIVE LAND USE MAP CHANGE TO RESIDENTIAL (R), ANNEXATION AND ZONING CLASSIFICATION OF SINGLE FAMILY RESIDENTIAL (R-1) AND COMPREHENSIVE LAND USE MAP CHANGE TO (P) PUBLIC, LOT SPLIT AND ZONING CLASSIFICATION with ZONING CLASSIFICATION (PUBLIC) P.

6.1 The Crouch Mayor and City Council accepts the facts outlined in the staff report, public testimony and the evidence list.

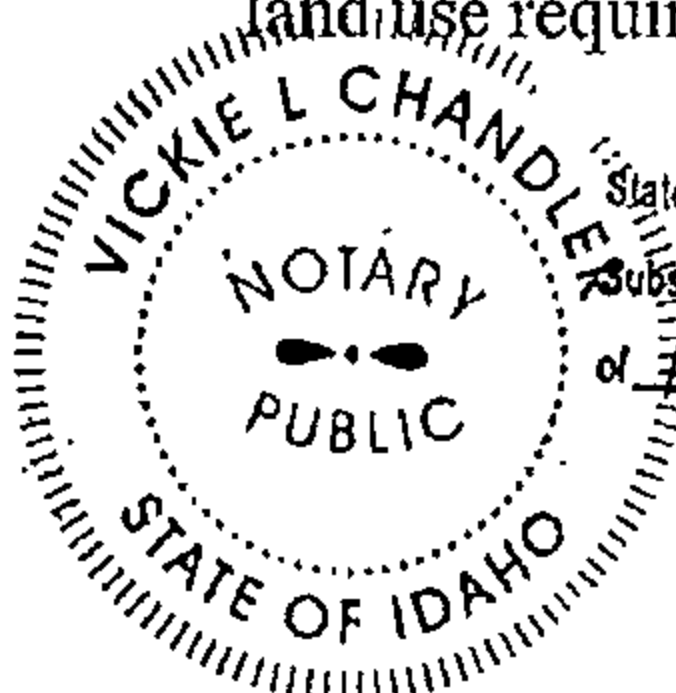
VII CONCLUSIONS OF LAW ON FINDINGS OF FACT ON COMPREHENSIVE LAND USE MAP CHANGE TO RESIDENTIAL (R), ANNEXATION AND ZONING CLASSIFICATION OF SINGLE FAMILY RESIDENTIAL (R-1) AND COMPREHENSIVE LAND USE MAP CHANGE TO (P) PUBLIC, LOT SPLIT AND ZONING CLASSIFICATION with ZONING CLASSIFICATION (PUBLIC) P.

7.1 The Crouch City Council has reviewed the staff report and testimony. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and City ordinances.

VIII RECOMMENDATION ON FINDINGS OF FACT ON COMPREHENSIVE LAND USE MAP CHANGE TO RESIDENTIAL (R), ANNEXATION AND ZONING CLASSIFICATION OF SINGLE FAMILY RESIDENTIAL (R-1) AND COMPREHENSIVE LAND USE MAP CHANGE TO (P) PUBLIC, LOT SPLIT AND ZONING CLASSIFICATION with ZONING CLASSIFICATION (PUBLIC) P.

8.1 Based on the Findings of Fact and Conclusions of Law, the Mayor and Crouch City Council finds that Case Numbers CPA-01-14, ANN-01-14, ZON-01-14, a request by Elaine Bortles for a comprehensive plan land use change, annexation and zoning classification on 78 acres, which would be annexed into the City of Crouch with a land use change of residential and zoning classification of "R-1", Single Family Residential and Case Numbers LST-01-14, CPA-02-14 and ZON-02-14 a request by the City of Crouch to create a lot split of one acre from the 78 acres parcel, with a comprehensive plan land use change to designate the land as P (Public), and a zoning classification of the one acre parcel to "P" Public be approved with the following conditions of approval:

8.2 When the parcel is developed, the developer will be required to meet all city and current land use requirements.



State of Idaho County of BOISE
Subscribed and sworn to (or affirmed) before me on this 12 day
of March 20 14 by Robert Powell
Vickie L. Chandler
Notary Public Signature

Robert Powell
Robert Powell
Mayor, City of Crouch